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OURCE Chinese periodical, Talwan Covernment Casette, 16 May 1947. (FDB Fer Abs.)
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LAW CONCERNING ELECTION AND DISHISSAL OF LEGISLATIVE YUAN LEMERE

(Promulgated 31 March 1947)

CHAPTER I. GENERAL PRINCIPLES

Article 1

Election and dismissal of Legislative Than members shall follow the provisions of the constitution and of this law.

Article 2

Elective of Legislative Your members shall be by universal, equal, direct, and sewest balloting.

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Election procedures shall be public.

Article &

4)-**444**

Apportionment of seats in the Legislative Than shall be as follows:

1. Those chosen by the provinces and directly controlled municipalities shall be: five seats for each whose population is under three million; for those whose population exceeds three million, one additional seat for each additional million;

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- 2. Those chosen by the Mongol Leagues and banners, 22 seats.
- 3. Those chosen by Tibet, ten seats.
- 4. Those chosen by the races in the border regions, six seats.
- 5. Those chosen by Chinese citizens living abroad, 19 seats.
- 6. Those chosen by occupational groups, 56 seats.

The further apportionment of the above shall be separately determined by law.

Article 5

Among the Legislative Yuan members mentioned in Item 1 above, there shall be one woman member for every ten or less, and one woman member for every complete ten over ten members.

The apportionment of these women's seats shall be separately determined by law.

Ballots for women candidates shall be separately counted.

Artiole 6

Citizens of the Republic of China, who are at least 20 years of age and who do not fall under the categories mentioned below, may wote; and those who are at least 23 years of age and who do not fall under the categories mentioned below, are eligible for election.

- 1. Those adjudged guilty of criminal acts, insurrection, or involvement in foreign aggression.
 - 2. Those adjudged guilty of corrupt conduct in public office.
 - 3. Those who have been and still are disfranchised.
 - 4. Those who have been notified that they may not control property.
 - 5. Those who have mental disease.
 - 6. Those who use option or its substitutes.

Article 7

Citizens of foreign countries who have become naturalised as Chinese citizens may, after 5 years, have the right of voting under the provisions of the
foregoing section, and after 10 years are eligible for election under the provisions of the foregoing section. Those returning to Chinese citizenship
shall after 2 years have the right of voting under the provisions of the foregoing section, and after 3 years shall be eligible for election under the provisions of the foregoing section.

Artiolo 8

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Each voter has only one vote. Those who are eligible for voting under

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two or more of the categories mentioned in Article 4 are limited to one category which chall be indicated by the voter at time of registration.

CHAPTER II. VOTERS AND CANDIDATES

<u>Article 9</u>

Agencies supervising elections of the various categories in Article 4, after examining the qualifications of voters in each voting unit, shall prepare a list of voters in two copies, original and duplicate; this shall record the name, sex, age, native place, occupation, residence, and such items, and shall be completed and published 40 days before the election date. At the same time the total number shall be reported to the higher election agency for transmission to the General Election Bureau for record.

Article 10

Agencies supervising elections and higher election agencies are distinguished as follows:

- 1. Frevincial and municipal: for provinces that do not have election by sections, and for directly controlled municipalities, the agencies supervising elections shall be the provincial or municipal election offices; the higher election agency shall be the General Election Bureau. For previnces that have election by sections, the agencies supervising elections shall be the section election offices; the higher election agency shall be the previncial election offices.
- 2. Mongolian: the agencies supervising elections shall be the league and banner governments; the higher election agency shall be the Mongolian-Tibetan election office,
- 3. Tibetan: supervision of the elections shall be divided between the "No-chia" // election agency (or agencies) and the agency (or agencies) to be designated by the Mongolian-Tibetan election office; the higher election agency shall be the Mongolian-Tibetan election office.
- 4. Overseas Chinese: the agency supervising elections shall be the agency (or agencies) to be designated by the overseas election office; the higher election agency shall be the overseas election office.
- 5. Rerder region reces: the agency enjervicing elections shall be the provincial election office; the higher election agency shall be the General Election Bureau.
- 6. National occupational groups: the agencies supervising elections shall be the provincial and year-controlled municipal election offices; the higher election agency shall be the national occupational groups! election office.
 - 7. Provincial and municipal occupational groups: same as in Item 1 above.

Article 11

After a registry of voters has been fully prepared by each supervising





agency, certificates of voting rights shall be distributed as evicence for obtaining ballots.

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Artiole 12

When a person is eligible for election and desires to be a candidate, on being nominated by the signatures of 3,000 or more voters or by a political party, he may be registered as a candidate; in a public context for election, as unregistered person may not be elected.

an compational group candidate may be nominated by the signature of 500 or more voters.

Woman candidates may be nominated by the signatures of 200 or more voters.

In the above three types of signature, no voter may sign for more than one candidate.

A person who is eligible for election may not be registered as a candidate for more than two positions.

Article 13

Officials now holding civil or military office, who are candidates in the voting districts which they control or in which they hold office, shall resign 5 months before election date.

Article 14

The period during which candidates may register shall be publicly summanoed by the agency supervising elections; it may not be less than 30 days.

The registration of candidates shall include recording in the registry book the name, ago, birthplace, compation, residence, and such items. If the candidate is a women, the should so state in connection with her name. These matters should be investigated and published by the agency supervising elections 30 days before talloting, and the list submitted to the general election office for record.

Article 15

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Candidates in any voting district (re limited to citizens of the district. Force candidates in any province on city are limited to sitizens of the province or city. Nongolian and Tibetan candidates, and those of other reces in the border regions, are limited to citizens of there places. Candidates of overseas Chinese are limited to Chinese citizens living abroad.

Candidates of occupational groups are limited to those holding numbership in the respective groups and actually engaged in the respective compations.

Candidates of an overseas Chinese district are limited to those who have limit in the voting district for an aggregate of 3 years or more.

Arbiele 16

The term "member" (hund-youn) in the foregoing section denotes basic memberchip of said group: when the "membership" denotes a legal person, the term





refers to the representative of the nembership.



CHAPTER III. ELECTION AGENCIES

Article 17

The Central Covernment shall set up a general election office, with three to five persons constituting an election committee, to direct and conduct all election matters throughout the nation. Its members shall be chosen from and appointed by the government, with one person designated as chairman. The organization of the General Election Bureau shall be determined by law.

Article 18

Each province shall set up a provincial electical office, with three to five persons constituting an election committee, to handle election matters of the province. Its members shall be chosen from those whom the General Election Eureau petitions the go. The member and chairman as ex-officie member and chairman.

Rech section in the province shall set up a section election office, with three to seven persons constituting an election committee to handle election matters in the section. Its members shall be chosen from those whom the provincial election office petitions the General Election Sureau to appoint, with the Special Administrative Commissioner of the section as em-officion member; this ex-officio nember shall be designated as chairman. In sections where there is no Special Administrative Commissioner, the General Election Bureau shall designate as chairman one of the numbers (of the election committee).

Article 19

Directly controlled municipalities shall set up a municipal election office with three to five persons constituting an election constitute to landle election matters in the municipality. Its manhers shall be chosen from those whom the General Election Bureau petitions the government to appoint, with the mayor as ex-officio member and chairman.

Littlele 20

For Mongolian and Tibetan elections there shall be set up a Mongolian-Tibetan election office, with a director of elections, this position to be filled by the chief of the Mongolian-Tibetan Affairs Commission, upon appointment by the government at the request of the General Election Bureau.

Under the Mongolian-Tibetan office there shall be set up various district offices to supervise the district elections, each with a (district) director of elections. In Mongolia these positions are to be filled by league or banner emerative officers. In Tibet, these positions are to be filled by parsons separately designated by the Mondolian and by the Mongolian-Tibetan election office, all upon appointment by the General Election Bureau.





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For elections by present Chinese citizens, there that he set up an everses Chinese election office, with waven to live persons constituting an election committee to made election matters of oversean Chinese. I'm manhors shall be chosen from these whom the General Election Eurosus petitions the government to appoint, and the chairman of the Overseas Chinese lifeirs Commission chall be an expeditely member and its chairman.

Under the ovarious Chinese election office there shall be set up offices supervising elections in the various districts, each with three to live members constituting an election committee to handle election matters of that district. Its rembers shall be chosen and appointed by the descent Election furrous as prescribed in the epocacied shart, and one of the rembers shall be designated us chairman.

Article 22

For the ejection by national occupational groups, there shall be set up a national occupational group election office, with three to five seabers constituting en election committee to handle election matters of said groups. Its members shall be chosen from those whom the General Election Bursau petitions the government to appoint, with one person designated as chairsun.

Article 23

For casting hellots and opening ballots in an election of members for the Legislative Whan, there shall be appointed a manager and an inspector of casting, and a manager and an inspector for the opening of ballots, all to be appointed by the supervising elections agency.

Article 24

The election agency members or the inspectors and (other) functionaries may not be candidates for the Legislative Yuan in regions or groups where they conduct the elections.

CHAPTER IV. PROCEDURE OF MIECTIONS

Article 25

Putes of ballcting for each category of elections under Article 4 of this law, shell be determined and announced by the General Election Bureau.

Article 26

Each agency supervising elections should publish an election notice 15 days before election, stating the following items:

- 1. Pisces of balloting and of opening ballots
- 2. Method and date of balloting
- 3. The number of seats in the Legislative Yuan each electing unit should





Article 27

Ballots and notice of election in the border regions should be prepared also in the languages prevalent in the respective regions.

Article 28

Candidates, according to the legal number of seats to be filled, shall be alsoted as nembers of the Legislative Than in the order of their respective poll of votes. In case of a tie, the matter shall be decided by lot.

Article 29

When the full legal number of Legislative Yan members have been elected, other candidates who received votes shall be expectant members (alternates) in the order of the number of votes received. In case of tie, the matter shall be decided by lot.

When the number elected by district or unit is two or less, the number of alternates shall be three; when the number elected is more than two, the number of alternates shall be the same as the number elected.

When a vacancy occurs smong Legislative Yuan members, it shall be filled by the alternates in order of number of votes received.

Article 30

The quote of women members to be elected to the legislative Than, as prescribed in Article 5 for the categories in Article 4, when not contested for by women, shall remain vacant.

When a woman's seat in the Legislative Than becomes vacant and there is no woman on the expectant (alternate) list, the same rule applies.

Article 31

The ballots cast by various races in the border regions for each candidate in an election for the legislative Than should be separately counted and tabulated by the agency supervising elections in the province or section where they are east. After publication, the results shall be reported to the provincial election agency to be colleted, hendled in accordance with provisions of articles 29 and 30, and made public.

Artiole 32

Certificates of election to the legislative Man shall be prepared by the demaral Election Bureau and given to the higher election agencies designated in Article 10, to be stamped and distributed. Then distributed, they should bear a very recent 21-inch photograph of the person elected, attached to the certificate at a designated position.



CHAPTER V. NONVALID ELECTIONS AND DISQUALIFIED FLECTEES

irticle 33

In either of the following cases, elections shall be mull and wold.

- 1. Those in which the conduct of the election is judged illegal:
- 2. Where it is judged that one tenth or more of the names on the list of voters are fraudulent.

Article 2

If an election is null and void, a new legal election shall be promptly conducted.

Article 35

If it is judged that a candidate lacks the required qualifications or that the number of his votes is incorrect, or if he dies before the election, his election is null and void.

Article 36

When electees are disqualified, the alternates shall fill the seats in order of rank.

CHAPTER VI. LITIGATION ABOUT ELECTIONS

Article 37

When waters or candidates claim that those conducting the election or other waters or candidates are guilty of practicing intimidation or other forms of corruption, they may bring suit within 15 days after the election date.

Artifole 38

When voters or candidates claim that the person elected is unqualified, or that the number of his votes is incorrect, or when the candidate claims that the votes he received were incorrectly counted, suit may be brought within 15 days after the name of the person elected is aumounced.

Article 39

Litigation about elections shall be brought before the high court concerned and shall be disposed of ahead of other cases. Where there is no high court, the high court of the Capital shall settle it by a study of the records, and their decision shall be final.



CHAPTER VII. DISETERAL OF LEGISLATIVE YOAN DEMBERS

ાં મહારામાં મુશ્કે અમેરિક માને જે અને જે ત્યાં મુખ્યત્વે તેમાં મુખ્ય મામ કર્યો છે. જે કારો મામ છે આ માને જે મામ

Article 40

Voters in the original voting unit may not petition for dismissal of an elected Legislative Yuan member before the expiration of 6 months.

Artiole 41

A petition for dismissal should state the reasons and be signed by 10 percent or more of the voters balloting in the original unit, and be presented to the chief government executive official having jurisdiction over the unit.

Article 42

The chief government executive official referred to in the foregoing section, after making sure that the signatures are authentic and are of the number legally required, shall within 30 days present a copy (of the petition) to the person appealed against, who may present a rejoinder within 15 days.

Article 43

The chief government executive official within 3 days of receiving the rejeinder, shall publish sens along with the petition, and within 30 days thereafter take a vote, and by a majority of votes then cast approving, pass the motion for dismissal.

Article 44

If the motion for dismissal is defeated, a petition for dismissal of said Legislative Tun number may not be made again during the original term.

Article 45

After a legislative Than member is dismissed, his place shall be filled by an alternate in order of mank, for the remainder of that term only.

CHAPTER VII. SUPPLEMENTARY ITEMS

Article &6

Violations of the criminal code in matters of election and dismissal shall de dealt with scounding to that code.

Articie 47

Rules for implementing this law shall be separately determined.

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